

REMARKS

Claims 1-23 are pending in this application. Claims 1-16 and 23 were rejected under 35 U.S.C. 102(e) as being allegedly anticipated by United States Patent No. 6,202,147 ("Slaughter I"). Claims 1-23 were rejected under the judicially-created doctrine of obviousness-type double patenting over United States Patent No. 6,594,708 ("Slaughter II"). These rejections are respectfully traversed, for reasons including those set forth below and those discussed during today's telephonic interview between the Examiner and Applicants' attorney. However, in order to expedite the prosecution of this application, independent claims 1, 10 and 23 have been amended to distinguish even more clearly the teachings of Slaughter I.

The Examiner kindly noted that claims 17-22 appear to be allowable over the prior art of record, subject to the submission of a terminal disclaimer for Slaughter II.

Rejection of Claims 1-16 and 23 Over Slaughter I

The Office Action asserts that the software object of claim 1, the method of accessing an encapsulation object of claim 10 and the native encapsulation object of claim 23 are all anticipated by Slaughter I. Moreover, the Office Action makes related arguments regarding the claims dependent from claims 1 and 10. One key assertion of the Office Action is to equate the "platform independent bus managers" of Slaughter I with the platform independent wrapper recited in the present claims. This assertion is respectfully traversed. The present invention also describes platform independent bus managers (see Fig. 6, element 622 and the related discussion on page 6, paragraph 2) but does not equate them with the platform independent wrapper recited in the present claims.

More broadly, Slaughter I, as understood, does not teach, suggest or indicate a software object such as that recited in claim 1 or an encapsulation object such as that recited in claim 23. Accordingly, Slaughter I could not teach a method of accessing such an object, such as that recited in claim 10.

However, in order to distinguish more fully the teachings of Slaughter I from the claims of the present application, independent claims 1, 10 and 23 have been amended as follows:

Claim 1 now recites:

1. (currently amended) A software object included in a computer system, comprising:
a platform dependent method; and

a platform independent wrapper arranged to encapsulate and to call the platform dependent method, wherein a platform independent object accesses the platform dependent method by calling the wrapper, wherein the wrapper then calls the platform dependent method.

Claim 10 now recites:

10. (currently amended) A computer-implemented method of accessing a platform dependent method by a platform independent object in a computer system, the computer system having an encapsulation object, the method comprising:
calling a platform independent wrapper by the platform independent object; and
calling the method by the wrapper wherein the wrapper encapsulates the method and the method is included in the encapsulation object.

Similarly, claim 23 now recites:

23. (currently amended) A native encapsulation object included in a computer system, the native encapsulation object comprising:
a plurality of device drivers; and
a plurality of wrappers arranged to encapsulate and to call an associated device driver of the plurality of device drivers, wherein a platform independent object accesses an associated device driver by calling one of the plurality of wrappers, wherein the wrapper then calls the associated device driver.

Support for these amendments may be found, for example, in Fig. 1 and the accompanying description on page 5, paragraph 2 through page 6, paragraph 1.

It is respectfully submitted that Slaughter I does not teach the software object of claim 1 or the encapsulation object of claim 23. Accordingly, Slaughter I could not teach a method of accessing such an object, such as that recited in claim 10.

For at least the foregoing reasons, the rejections of claims 1, 10 and 23 have been overcome. Claims 2-9 are either directly or indirectly dependent on independent claim 1 and are allowable for at least the same reasons as claim 1. Similarly, claims 11-17 are either directly or indirectly dependent on independent claim 10 and are allowable for at least the same reasons as claim 10.

Double-Patenting Rejection Over Slaughter II

The independent claims of Slaughter II deal with memory classes and memory functions. These claims recite: (1) [providing] a first set of Java-based memory classes, each class of the first set being platform-independent; and (2) [providing] a second set of Java-based memory classes, each class of the second set being a subclass of a class of the first set and being platform-dependent. Because both platform-dependent and platform-independent memory classes are provided, "client component memory functions" access "only objects of classes of the first set." (See claim 1.) For example, a device driver accesses only objects of the first set. (See claim 14.) On the other hand, "platform-dependent memory functions" use "objects of the second set." (See claim 1.)

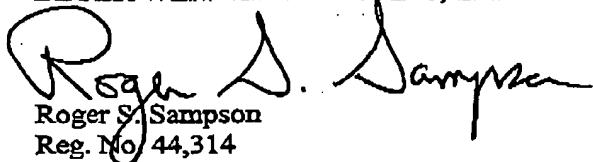
This approach is analogous to the "mixed" software approach that is described in the Background section of the present application, as applied to the specific category of memory classes. (See page 2, lines 18-24.) The present claims do not contain recitations of memory classes or memory functions. Moreover, the present claims recite methods and devices that render it unnecessary to, for example, separately group platform-independent objects from platform-dependent objects or to selectively access only one or the other.

For at least the foregoing reasons, Applicants' attorney respectfully requests that the double-patenting rejections of claims 1-23 be withdrawn.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all pending claims are allowable. Should the Examiner have any remaining doubts about whether this case is in condition for allowance, Applicants' attorney requests that the Examiner contact him at the telephone number set forth below.

Respectfully submitted,
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